

Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-52 Department of Commerce)."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess since it failed to comply with the requirement for accuracy of reading specified in CS1-52.

**DISPOSITION:** June 19, 1953. Default decree of destruction.

**4116. Adulteration and misbranding of clinical thermometers. U. S. v. 67 Dozen \* \* \* (and 1 other seizure action). (F. D. C. Nos. 34889, 34890. Sample Nos. 39762-L, 73131-L.)**

**LIBELS FILED:** March 13 and 20, 1953, Eastern District of Pennsylvania and Southern District of California.

**ALLEGED SHIPMENT:** On or about November 21, 1952, and January 9 and 16, 1953, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

**PRODUCT:** 67 dozen *rectal thermometers* at Philadelphia, Pa., and 6 dozen *oral thermometers* at Los Angeles, Calif.

Examination disclosed that 7 rectal thermometers of 24 tested and 4 oral thermometers of 23 tested failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52 applicable to such thermometers. 6 rectal thermometers failed to comply with the requirement for accuracy, and 1 rectal thermometer failed to comply with the entrapped gas test. The defects of the oral thermometers were as follows: 1 thermometer failed to comply with the standard for accuracy; 2 thermometers failed to comply with the test for retreating index; and 1 thermometer failed to comply with the test for ease of shaking down the mercury column (hard shaker).

**LABEL, IN PART:** "One Fever Thermometer Kind—Rectal" and "Hygrade Oral."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the quality of the articles fell below that which they purported and were represented to possess since they failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52.

Misbranding, Section 502 (b) (1), the articles failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

**DISPOSITION:** April 24 and May 5, 1953. Default decrees of condemnation and destruction.

#### **DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS\***

**4117. Misbranding of okra tablets. U. S. v. 24 Bottles, etc. (F. D. C. No. 34875. Sample No. 57534-L.)**

**LIBEL FILED:** March 3, 1953, District of Columbia.

**ALLEGED SHIPMENT:** On or about February 13, 1953, by the Daland Vitamin Co., from Wilmington, Del.

**PRODUCT:** 24 25-tablet bottles and 11 100-tablet bottles of *okra tablets* at Washington, D. C.

\*See also Nos. 4112-4114.